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10/635,769

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EXAMINER

WONG, JEFFREY KEITH

ART UNIT

PAPER NUMBER

3714

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/635,769 | Applicant(s) GOFORTH ET AL. | |
| | Examiner JEFFREY K. WONG | Art Unit 3714 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-20 is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, and 9-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hein, JR. et al., US Patent Application Publication 2004/0029637A1.

Regarding Claim 1.

(Previously Presented) A wager-based gaming machine comprising: one or more speakers(elem 140 and 145.);

a master gaming controller adapted to process and facilitate the presentation of a wager-based game(elem 110. The CPU is viewed as the gaming controller); and

a digital sound system comprising:

at least one memory unit storing data(elem 115), wherein said data comprises one or more wave files, one or more sets of wave table data, or both(para 26. The CPU with associated memory may provide digital sounds such as wav or mp3), and

a digital signal processor configured to produce audio output for said one or more speakers(para 26. The digital signal processor on the sound card helps provide audio output), wherein said digital signal processor is adapted to perform at least one function

Art Unit: 3714

selected from the group consisting of generating original audio output and modifying existing sound files(para 26. The digital signal processor helps provide the audio output).

Regarding Claim 2.

(Original) The gaming machine of claim 1, wherein said digital sound system further comprises:

an event sequencer interposed between the master gaming controller and the digital signal processor(elem 120), wherein said event sequencer converts instructions from the master gaming controller to instructions that can be executed by the digital signal processor(The sound card is viewed as possessing the event sequencer because it is used to receive instructions from the CPU and be executed by the DSP on the sound card).

Regarding Claim 3.

(Original) The gaming machine of claim 1, wherein said digital signal processor is configured to alter musical or tonal parameters while a sound file is playing(Abstract. The digital signal processor on the sound card is used to adjust the volume of the audio output).

Regarding Claim 4.

Art Unit: 3714

(Original) The gaming machine of claim 1, wherein said digital signal processor is configured to synthesize music in real-time(para 26. The digital signal processor is used to output audio to the speakers which is done in real-time).

Regarding Claim 5.

(Original) The gaming machine of claim 1, wherein said digital signal processor is configured to provide audio output tailored to a player currently using the gaming machine(Abstract. The volume of the music is adjusted by the digital signal processor).

Regarding Claim 9.

(Original) The gaming machine of claim 1, wherein said digital sound system comprises additional memory for storing audio processing algorithms for execution on the digital signal processor(para 50. Algorithms are used for determining the ambient noise and adjusting the volume control accordingly).

Regarding Claim 10.

(Original) The gaming machine of claim 1, wherein said event sequencer is installed in a manner that prevents the digital signal processor from effecting operation of the master gaming controller(para 27. Sound adjustment of the audio may be carried out using the sound card)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hein, JR. et al., US Patent Application Publication 2004/0029637A1 as applied to claim 1 above, and further in view of Walker et al, US Patent Application Publication 2002/0151366A1. Regarding Claim 6.

(Original) Hein discloses the gaming machine of claim 4, but failed to disclose wherein said audio output is tailored by at least one or more parameters selected from the group consisting of language selection, gender selection, accent selection, and style selection. However, Walker discloses of an invention in which users can choose from a group of language to be implemented with the game terminal(Abstract) as a means of customizing a gaming machine device according to a player's desired configuration(Para 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the language selection of Walker's invention with the volume control of Hein's invention as a means of allowing players to customize their gaming machine as taught by Walker.

5. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hein, JR. et al., US Patent Application Publication 2004/0029637A1 as applied to claim 1 above, and further in view of Chan, US Patent 6,411,926B1.

Regarding Claim 7, 8.

(Original) Hein discloses the gaming machine of claim 1 wherein said digital sound system further comprises a microphone (elem 150), but failed to disclose wherein said digital signal processor is configured to recognize speech used by a player at or near the gaming machine.

However, Chang discloses of a voice recognition system that includes a digital signal processor(Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the digital signal processor used for volume control of Hein's invention can also be additionally used for voice recognition as taught by Chang.

Response to Arguments

6. Applicant's arguments, filed 11/27/2007, with respect to the rejection(s) of claim(s) 1-20 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hein, JR. et al. (US Patent Application Publication 2004/0029637A1), Walker et al.(US Patent Application Publication 2002/0151366A1), and Chan (US Patent 6,411,926B1).

Allowable Subject Matter

7. Claims 11-20 are viewed as allowable. The following is an examiner's statement of reasons for allowance: The prior art does not teach or suggest the limitation pertaining to a programmable logic device separate from and connected to said central processing unit with a digital signal processor being separate from and connected to said programmable logic device, wherein said programmable logic device is interposed between said central processing unit and said digital signal processor, such that said digital signal processor is unable to communicate directly to said central processing unit, and wherein said programmable logic device converts instructions from said central processing unit to instructions that can be executed by said digital signal processor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Loose, US Patent Application Publication 2004/0161115A1, Gaming machine having improved audio control architecture.

10. Best, US Patent 4,445,187, Video games with voice dialog.
11. Parruck et al., US patent 4,799,144, Multi-function communication board for expanding the versatility of a computer.
12. Einhor et al., US Patent, 5,136,631, Method and apparatus for programming a voice services system.
13. Wu et al., US Patent 6,029,221, System and method for interfacing a digital signal processor to an audio bus containing frames with synchronization data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY K. WONG whose telephone number is (571)270-3003. The examiner can normally be reached on M-Th 8:30am-7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on (571)272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/635,769
Art Unit: 3714

Page 9

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Primary Examiner, Art Unit 3714

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Examiner, Art Unit 3714